

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HUGO LEONEL CRUZ FUENTES,

Plaintiff,

vs.

ROSEN'S DIVERSIFIED, INC. GROUP
BENEFIT PLAN, C/O
ROSEN'S DIVERSIFIED, INC., A
MINNESOTA CORPORATION,

ROSEN'S DIVERSIFIED, INC., A
MINNESOTA CORPORATION, AS
ADMINISTRATOR AND NAMED
FIDUCIARY OF THE ROSEN'S
DIVERSIFIED GROUP BENEFIT PLAN,

ROSEN'S DIVERSIFIED, INC., D/B/A
GIBBON PACKING AS EMPLOYER
AND FIDUCIARY OF THE ROSEN'S
DIVERSIFIED GROUP BENEFIT PLAN,
and,

SUN LIFE ASSURANCE COMPANY OF
CANADA, A DELAWARE
CORPORATION,

Defendants.

Case No. 4:06CV3106

JUDGMENT

Pursuant to the parties' joint stipulation and motion for dismissal with prejudice (filing 31) and Fed. R. Civ. P. 41(a),

IT IS ORDERED that this action is dismissed with prejudice, each party to pay their own costs and attorney fees.

October 11, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge